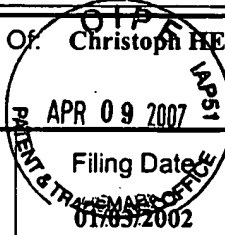


Handwritten initials and marks at the top right of the page.

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
2869

In Re Application Of: Christoph HEHRLEIN; Gerhard Karl WOLF; Adalbert KOVACS



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/038,468	01/03/2002	THANH, LOAN H.	26822	3763	8101

Invention: **DELIVERY SOURCE OF OXYGEN**

Handwritten notes on the left margin: "noted", "4/13/07", and a signature.

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **OCTOBER 12, 2006** finally rejecting Claim(s) 29-34

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **\$250.00**

☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-0114

☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Signature

Dated: **APRIL 5, 2007**

**WALTER A. HACKLER, Ph.D.  
PATENT LAW OFFICE  
2372 S.E. BRISTOL STREET, SUITE B  
NEWPORT BEACH, CALIFORNIA 92660-0755**

TEL: (949) 851-5010  
FAX: (949) 752-1925

04/10/2007 BABRAH1 00000070 10038468

01 FC:2401

250.00 OP

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <b>APRIL 5, 2007</b> (Date)	
Signature of Person Mailing Correspondence	
<b>WALTER A. HACKLER</b>	
Typed or Printed Name of Person Mailing Correspondence	